

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

United States of America,)	
)	
)	
vs.)	Case No. 09-0359-01-CR-W-FJG
)	
Antonio J. Shoats,)	
)	
)	

ORDER

Pending before the Court is the issue of defendant's competency. On September 13, 2011 (Doc. #19), defendant filed a motion for determination of competency which was granted by Magistrate Judge John T. Maughmer (Doc. #22, September 14, 2011). Judge Maughmer held a hearing regarding defendant's mental competency on January 6, 2012, at which time the parties stipulated to the forensic evaluation by Jeremiah Dwyer, Ph.D.

On January 9, 2012, Judge Maughmer issued a report and recommendation (Doc. #28), finding the defendant competent to understand the nature and consequence of the proceedings against him and to assist properly in his defense. No objections to the report and recommendation were filed.

The Court, after independent review of the record and applicable law, finds that defendant is competent to understand the nature and consequences of the proceedings against him and to properly assist in his own defense, and that he is competent to stand trial.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
United States District Judge

Dated: 1/25/2012
Kansas City, Missouri